

Atty Docket No. 180620-39.10US

PTO FAX NO.: (703) 872-9314

ATTENTION: Examiner Agustin Bello
TELEPHONE NO.: (703) 308-1393

Group Art Unit 2633

OFFICIAL COMMUNICATION
FOR THE PERSONAL ATTENTION OF

EXAMINER Agustin Bello

CERTIFICATION OF FACSIMILE TRANSMISSION

I hereby certify that the following documents're Application of Sung-Joo Yoo, Application No. 10/075,780, filed February 12, 2002 for Method and Apparatus For Optical Signal Processing Using Subcarrier Multiplexed Headers are being facsimile transmitted to the Patent and Trademark Office on the date shown below.

Document(s) Attached

- 1) Transmittal Form (1 p);
- 2) Fee Transmittal (1 p in duplicate);
- 3) Petition For Extension of Time Under 37 CFR 1.136(a) (1 p in duplicate);
and
- 4) Amendment Under 37 CFR 1.116 Expedited Procedure Examining Group 2633 (9 pp).

Number of pages being transmitted, including this page: 15

Dated: August 12, 2003


Diane Hawley

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TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, 8th Floor
San Francisco, CA 94111-3834
Telephone: (650) 326-2400
Fax: (650) 326-2422
23310841 v1

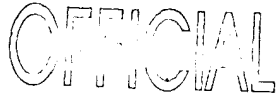
PTO/SB/21 (05-03)

Approved for use through 04/30/2003. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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| | | | |
|---|----|------------------------|-------------------|
| TRANSMITTAL FORM (to be used for all correspondence after initial filing) | | Application Number | 10/075,760 |
| | | Filing Date | February 12, 2002 |
| | | First Named Inventor | Yoo, Sung-Joo |
| | | Art Unit | 2633 |
| | | Examiner Name | Agustin Bello |
| Total Number of Pages in This Submission | 14 | Attorney Docket Number | 18062C-39.10US |

| ENCLOSURES (Check all that apply) | | |
|---|--|---|
| <input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input checked="" type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input checked="" type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) | <input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below): Return Postcard |
| Remarks | | The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430. |
|  | | |

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

| | | |
|--------------------|------------------------------------|-----------------|
| Firm or Individual | Townsend and Townsend and Crew LLP | |
| | Kenneth R. Allen | Reg. No. 27,301 |
| Signature | <i>Kenneth R. Allen</i> | |
| Date | August 12, 2003 | |

CERTIFICATE OF MAILING

| | | | |
|--|---------------------|------|-----------------|
| I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office, Fax No. (703) 872-9314 on August 12, 2003 | | | |
| Typed or printed name | Diane Hawley | | |
| Signature | <i>Diane Hawley</i> | Date | August 12, 2003 |

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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60017182 v1

PTO/SB/17 (08-03)

Approved for use through 04/30/2003. OMB 0851-0032
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE
Complete if Known

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FEE TRANSMITTAL
for FY 2003

Effective 01/01/2003. Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT (\$)** 205

| | |
|----------------------|-------------------|
| Application Number | 10/075,760 |
| Filing Date | February 12, 2002 |
| First Named Inventor | Yoo, Sung-Joo |
| Examiner Name | Agustin Bello |
| Art Unit | 2633 |
| Attorney Docket No. | 18082C-39.10US |

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit Card ☐ MoneyOrder ☐ Other ☐ None

☒ Deposit Account:

Deposit Account Number: 20-1430

Deposit Account Name: Townsend and Townsend and Crew LLP

The Commissioner is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments

☒ Charge any additional fee(s) during the pendency of this application

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION**1. BASIC FILING FEE**

| Large Entity | Small Entity | Fee Code | Fee (\$) | Fee Description | Fee Paid |
|--------------|--------------|----------|----------|------------------------|----------|
| | | 1001 | 750 | Utility filing fee | |
| | | 1002 | 330 | Design filing fee | |
| | | 1003 | 520 | Plant filing fee | |
| | | 1004 | 750 | Reissue filing fee | |
| | | 1005 | 160 | Provisional filing fee | |

SUBTOTAL (1)

(\$)

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

| Total Claims | Extra Claims | Fees from below | Fee Paid |
|--------------------|--------------|-----------------|----------|
| | | | |
| Independent Claims | | | |
| Multiple Dependent | | | |

| Large Entity | Small Entity | Fee Code | Fee (\$) | Fee Description | Fee Paid |
|--------------|--------------|----------|----------|--|----------|
| | | 1202 | 18 | Claims in excess of 20 | |
| | | 1201 | 84 | Independent claims in excess of 3 | |
| | | 1203 | 280 | Multiple dependent claim, if not paid | |
| | | 1204 | 84 | ** Reissue independent claims over original patent | |
| | | 1206 | 18 | ** Reissue claims in excess of 20 and over original patent | |

SUBTOTAL (2)

(\$)

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

| Large | Small | Entity | Entity | Fee Code | Fee (\$) | Fee Description | Fee Paid |
|-------|--------|--------|--------|----------|----------|--|----------|
| 1051 | 130 | 2051 | 65 | 1051 | 130 | Surcharge - late filing fee or oath | |
| 1052 | 50 | 2052 | 25 | 1052 | 50 | Surcharge - late provisional filing fee or cover sheet | |
| 1053 | 130 | 1053 | 130 | 1053 | 130 | Non-English specification | |
| 1812 | 2,520 | 1812 | 2,520 | 1812 | 2,520 | For filing a request for reexamination | |
| 1804 | 920* | 1804 | 920* | 1804 | 920* | Requesting publication of SIR prior to Examiner action | |
| 1805 | 1,840* | 1805 | 1,840* | 1805 | 1,840* | Requesting publication of SIR after Examiner action | |
| 1251 | 110 | 2251 | 55 | 1251 | 110 | Extension for reply within first month | |
| 1252 | 410 | 2252 | 205 | 1252 | 410 | Extension for reply within second month | 205 |
| 1253 | 930 | 2253 | 465 | 1253 | 930 | Extension for reply within third month | |
| 1284 | 1,450 | 2264 | 725 | 1284 | 1,450 | Extension for reply within fourth month | |
| 1285 | 1,970 | 2265 | 885 | 1285 | 1,970 | Extension for reply within fifth month | |
| 1401 | 320 | 2401 | 160 | 1401 | 320 | Notice of Appeal | |
| 1402 | 320 | 2402 | 160 | 1402 | 320 | Filing a brief in support of an appeal | |
| 1403 | 280 | 2403 | 140 | 1403 | 280 | Request for oral hearing | |
| 1451 | 1,510 | 1451 | 1,510 | 1451 | 1,510 | Petition to institute a public use proceeding | |
| 1462 | 110 | 2462 | 55 | 1462 | 110 | Petition to revive - unavoidable | |
| 1453 | 1,300 | 2453 | 650 | 1453 | 1,300 | Petition to revive - unintentional | |
| 1501 | 1,300 | 2501 | 650 | 1501 | 1,300 | Utility issue fee (or reissue) | |
| 1502 | 470 | 2502 | 235 | 1502 | 470 | Design issue fee | |
| 1503 | 630 | 2503 | 315 | 1503 | 630 | Plant issue fee | |
| 1460 | 130 | 1460 | 130 | 1460 | 130 | Petitions to the Commissioner | |
| 1807 | 50 | 1807 | 50 | 1807 | 50 | Petitions related to provisional applications | |
| 1808 | 180 | 1808 | 180 | 1808 | 180 | Submission of Information Disclosure Stmt | |
| 8021 | 40 | 8021 | 40 | 8021 | 40 | Recording each patent assignment per property (times number of properties) | |
| 1809 | 750 | 2809 | 375 | 1809 | 750 | Filing a submission after final rejection (37 CFR § 1.128(a)) | |
| 1810 | 750 | 2810 | 375 | 1810 | 750 | For each additional invention to be examined (37 CFR § 1.128(b)) | |
| 1801 | 750 | 2801 | 375 | 1801 | 750 | Request for Continued Examination (RCE) | |
| 1802 | 900 | 1802 | 900 | 1802 | 900 | Request for expedited examination of a design application | |

Other fee (specify)

*Reduced by Basic Filing Fee Paid **SUBTOTAL (3)**

(\$205)

SUBMITTED BY

Complete if applicable

| | | | | | |
|-------------------|------------------|-----------------------------------|--------|-----------|-----------------|
| Name (Print/Type) | Kenneth R. Allen | Registration No. (Attorney/Agent) | 27,301 | Telephone | 660-328-2400 |
| Signature | Kenneth R. Allen | | | Date | August 12, 2003 |

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7 Amdt B/K
Smw 8/20/03AMENDMENT UNDER 37 CFR 1.116
EXPEDITED PROCEDURE -
EXAMINING GROUP 2633Do Not
Enter
9/16/03PATENT
18062C-39.10US
Client Ref. No. 2001-189-2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

SUNG-JOO YOO

Application No.: 10/075,780

Filed: February 12, 2002

For: METHOD AND APPARATUS FOR
OPTICAL SIGNAL PROCESSING
USING SUBCARRIER MULTIPLEXED
HEADERS

Customer No.: 20350

Confirmation No. 1045

Examiner: Agustin Bello

Technology Center/Art Unit: 2633

AMENDMENT UNDER 37 CFR 1.116
EXPEDITED PROCEDURE EXAMINING
GROUP 2633**Mail Stop AF**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

In response to the Final Office Action mailed March 12, 2003 on the above-referenced application, please enter the following amendments and remarks, and/or if necessary to receive full consideration, enter this amendment as part of a Request for Continued Examination (RCE):

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks/Arguments begin on page 8 of this paper.